

NO. 21782

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

GE CAPITAL HAWAII, INC., Plaintiff-Appellee, v.  
LYNETTE L. YONENAKA and LYNETTE L. YONENAKA,  
Trustee of the Lynette L. Yonenaka Trust, an  
unrecorded Semi-Revocable Trust dated December 4,  
1991, Defendants-Appellants; and CHRISTINE M. S.  
SHIN; GLENDALE FEDERAL BANK, F.S.B.; JOHN DOES  
1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50; DOE  
CORPORATIONS 1-50; DOE ENTITIES 1-50; and DOE  
GOVERNMENTAL UNITS 1-50, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 97-1297)

ORDER RESCINDING MEMORANDUM OPINION  
(By: Burns, C.J.)

On September 16, 1999, this court filed a memorandum opinion. On September 27, 1999, Defendants-Appellants filed a motion for partial reconsideration of the memorandum opinion, and the motion was granted by this court on October 7, 1999.

Before further action could be taken by this court on the partial reconsideration of the memorandum opinion, Defendants-Appellants filed a Notice of Bankruptcy Stay on October 11, 1999. The bankruptcy stay was terminated on April 26, 2001.

With the termination of the bankruptcy stay, this court now has jurisdiction to dispose of this appeal. During the bankruptcy stay, Associate Justice Simeon R. Acoba, Jr., formerly of this court and a member of the panel on this appeal, was appointed to the Hawai'i Supreme Court at the close of business

on May 19, 2000. A judge has been assigned to sit in place of Associate Justice Acoba in this case. Therefore,

IT IS HEREBY ORDERED that the memorandum opinion of this court entered on September 16, 1999, is rescinded and a new opinion shall be issued.

DATED: Honolulu, Hawai'i, May 3, 2001.

Chief Judge